

REMARKS

With entry of the instant amendment, claims 1-3, 6, 7, 13, 16-18, and 30 have been amended and claims 4, 8-12, 14, 19-24, 32-47, and 62-67 have been cancelled as they are drawn to non-elected subject matter. Accordingly, claims 1-3, 5-7, 13, and 15-18, 25-31, and 48-61 are currently pending and subject to restriction.

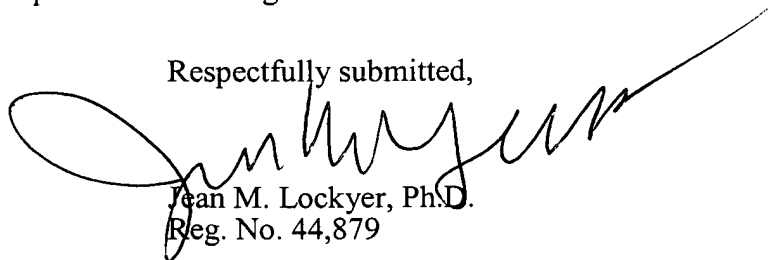
The amendments to the claims add no new matter and are supported throughout the application as filed.

Claims 1-3 have been amended to recite a polypeptide comprising at least 25 contiguous amino acids of SEQ ID NO:2 (claim 1); at least 50 contiguous amino acids of SEQ ID NO:2 (claim 2); and at least 100 contiguous amino acids of SEQ ID NO:2 (claim 3). Support for the amendment can be found, *e.g.*, on page 11, lines 13-16 and on page 18, lines 17-19 and lines 28-32.

With regard to the restriction requirement, according to the MPEP, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. *See*, the MPEP at 803.01. In establishing that an "undue burden" would exist for co-examination of claims, the Examiner must show that examination of the claims would involve substantially different prior art searches, making the co-examination burdensome. A search of Group I nucleic acids relating to SEQ ID NO:1, which encode proteins related to SEQ ID NO:2, will identify art relevant to Groups II-V as well. Thus, examination of Groups I-V, together would not impose an undue burden. Applicants therefore respectfully request rejoinder of Groups I-V.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Jean M. Lockyer, Ph.D.
Reg. No. 44,879